

EXHIBIT 1

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KING COUNTY
SUPERIOR COURT CLERK
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CASE #: 25-2-11480-5 SEA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

Daniel Hollis, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

Exp Realty, LLC and Aaron Yoon,

Defendants.

Case No.

CLASS ACTION COMPLAINT

Daniel Hollis, individually and on behalf of others similarly situated, alleges the
following against Defendants Exp Realty, LLC and Aaron Yoon.

I. NATURE OF ACTION

1. Starting no later than October 10, 2024, Exp Realty, LLC and Aaron Yoon,
acting directly and/or through their agent(s), repeatedly called Daniel Hollis's personal cellular
phone in an effort to solicit Plaintiff's business and to market Defendants' real estate services
to Plaintiff.

2. Daniel Hollis has not been a customer of Exp Realty, LLC or Aaron Yoon at any
time, and Mr. Hollis did not consent to receive calls from Exp Realty, LLC or Aaron Yoon.
Daniel Hollis's telephone number is listed on the Do Not Call registry maintained by the
Federal Trade Commission, and has been continuously listed there since December 12, 2008.

3. Plaintiff brings this class action for damages and other equitable and legal
remedies resulting from Defendants' violation of the Telephone Consumer Protection Act, 47
U.S.C. § 227, *et seq.* ("TCPA"), and related Washington state law, RCW 80.36.390.

1 **II. JURISDICTION AND VENUE**

2 4. This Court has original jurisdiction over Plaintiff's claims pursuant to RCW
3 2.08.010 and Art. IV Sec. 6 of the Washington Constitution.

4 5. This Court has personal jurisdiction over Exp Realty, LLC and Aaron Yoon
5 because Defendants each caused transmission of the calls that are the subject of this action to
6 Plaintiff's cellular phone. Plaintiff's cellular phone uses a Washington area code and was, at all
7 relevant times, located in Washington. Exp Realty, LLC has its headquarters in and
8 continuously and systematically conducts business in Washington, where Defendant is
9 headquartered in the city of Bellingham in Whatcom County. Aaron Yoon is a resident of King
10 County.

11 6. Defendants are jointly and severally liable for the violations alleged against
12 Aaron Yoon in this Complaint because Defendant Aaron Yoon committed the violations
13 alleged in this Complaint by acting in concert with, and/or as the agent or servant of, Defendant
14 Exp Realty, LLC. RCW 4.22.070(1)(a).

15 7. Venue is proper in this Court pursuant to RCW 4.12.020(3) because Plaintiff's
16 cause of action or some part thereof arose in King County.

17 **III. PARTIES**

18 8. Plaintiff Daniel Hollis resides in King County, Washington.

19 9. Defendant Exp Realty, LLC is a Washington limited liability company with
20 headquarters at 2219 Rimland Dr., Suite 301, Bellingham, WA 98226-8759. Defendant's center
21 of operations for its real estate services business is located in Bellingham, Washington. The
22 allegations in this Complaint as to acts and omissions by Defendant Exp Realty, LLC shall be
23 construed as allegations against Defendant Exp Realty, LLC, whether such conduct was
24 committed by Defendant directly, or through its agents or contractors.

25 10. Defendant Aaron Yoon is a real estate broker working for Defendant Exp
26 Realty, LLC. Defendant Yoon resides in Seattle, Washington. The allegations in this Complaint
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1 as to acts and omissions by Defendant Aaron Yoon shall be construed as allegations against
2 Defendant Yoon, whether such conduct was committed by Defendant directly, or through his
3 agents or contractors.

4 IV. FACTUAL ALLEGATIONS

5 A. Defendants Exp Realty, LLC and Aaron Yoon Made Sales Solicitation Calls to the 6 Cellular Phones of Plaintiff and Other Recipients Listed on the National Do Not 7 Call Registry and/or After Recipients Requested to be Added to Defendants' 8 Internal Do Not Call Lists.

9 11. Plaintiff's telephone number, (XXX) XXX-9727, is assigned to a cellular
10 telephone service. Plaintiff first acquired this cellular phone number prior to December 12,
11 2008 and has had exclusive use of it ever since.

12 12. On October 25, 2024, Exp Realty, LLC and Aaron Yoon caused a call to be
13 placed to Plaintiff's cellular phone. The call Plaintiff received from Defendants showed the
14 originating number was (509) 895-2336. Defendants' call was a business solicitation that
15 sought to promote Exp Realty, LLC and Aaron Yoon's real estate services.

16 13. Plaintiff has not been an Exp Realty, LLC customer (or a customer of Defendant
17 Yoon) at any time and never consented to receive the calls described in this Complaint.

18 14. On October 28, 2024, Plaintiff again received a business solicitation telephone
19 call from Exp Realty, LLC and its agent Aaron Yoon. The originating number was reportedly
20 (425) 517-1985.

21 15. Plaintiff telephoned Exp Realty, LLC and was connected with Robin McCue on
22 November 18, 2024. Ms. McCue was reportedly Defendant Yoon's manager and Exp Realty,
23 LLC's designated broker in the state of Washington. Plaintiff told Ms. McCue his mobile
24 phone number is listed on the National Do Not Call Registry and that he was receiving
25 unlawful calls from Exp Realty, LLC including through its agent Aaron Yoon. Ms. McCue
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1 agreed that Mr. Hollis was on the National Do Not Call list and assured Plaintiff that the calls
2 to his number would stop.

3 16. On February 10, 2025, Plaintiff again received a business solicitation telephone
4 call offering to buy his property. The caller told Plaintiff the call was on behalf of Exp Realty
5 and its agent, Aaron Yoon. The call was reportedly from the originating number (206) 589-
6 6303.

7 17. The calls Plaintiff received from Exp Realty, LLC and Aaron Yoon originated
8 from varying telephone numbers and included offers to buy Mr. Hollis's property. According to
9 public information on the internet, multiple individuals have filed complaints with the Federal
10 Trade Commission that they received unwanted telephone calls from the number (509) 895-
11 2336.¹ Another telephone number Defendant Yoon uses for his real estate work on behalf of
12 Defendant Exp Realty, LLC, (425) 635-8288, has also been reported by numerous consumers
13 as a spam number.²

14 18. Aaron Yoon extensively uses "cold calling" marketing techniques to generate
15 real estate business for himself and for Defendant Exp Realty, LLC. Defendant Yoon maintains
16 a YouTube channel under the handle @AaronYoon featuring numerous videos of himself
17 discussing his marketing techniques and advertising his services as a real estate agent and as a
18 coach who teaches other real estate agents how to use cold calling techniques to generate sales
19 leads.³

20 19. Mr. Yoon holds himself forth to the public as an agent of Exp Realty, LLC in his
21 capacity as an evangelist of cold calling techniques for real estate agents targeting prospective
22 customers. Among other things, Defendant Yoon uses the name and logo of Exp Realty, LLC
23 in his public YouTube profile.

24 ¹ <https://www.reportedcalls.com/5098952336> (reporting Washington and Wisconsin consumer complaints to
25 Federal Trade Commission about unwanted calls) (viewed April 9, 2025).

26 ² <https://phonespam.report/for-425-635-8288> (reporting nine consumer complaints of unwanted spam calls from
this telephone number) (viewed April 10, 2025); <https://wa.exprealty.com/agents/1139606/Aaron+Yoon> (listing
27 Aaron Yoon's telephone number as (425) 635-8288) (viewed April 10, 2025).

³ <https://www.youtube.com/c/AaronYoon> (viewed April 11, 2025).

1 20. In his YouTube videos, Defendant Yoon discusses his knowledge of the
2 requirements of the Telephone Consumer Protection Act and related laws concerning cold
3 calling members of the public in an effort to solicit their business. However, Defendant Yoon
4 does not exclude telephone numbers listed on the National Do Not Call List from the targets he
5 dials to solicit real estate business.⁴

6 21. Defendant Exp Realty, LLC is aware of and has authorized, ratified, or caused
7 its agent Defendant Aaron Yoon's illegal placement of telephone calls to individuals listed on
8 the National Do Not Call list. For example, even after Plaintiff personally informed Exp Realty,
9 LLC's designated broker, Robin McCue, of his being on the National Do Not Call list and she
10 promised to end the calls, Defendant Yoon demonstrated his belief that he could place
11 solicitation calls to NDNC listed numbers in a YouTube video he uploaded on January 4, 2025.
12 See footnote 4, above. Defendant Yoon also continued to place solicitation calls to individuals
13 listed on the NDNC list including Plaintiff.

14 22. Defendant Exp Realty, LLC and Aaron Yoon rely on the extensive use of cold
15 calling techniques including sales solicitations to members of the public to generate business.
16 Defendant Yoon has posted detailed instructional videos on YouTube about using different
17 predictive dialers to generate real estate leads, and describes on one video posted online how he
18 hired three individuals in the Philippines to perform cold calls for him.⁵ Aaron Yoon has posted
19 many videos describing his use of telephone solicitations to generate business for himself as an
20 agent of Defendant Exp Realty, LLC. Defendants Exp Realty, LLC and Yoon's actions have
21 caused numerous unsolicited business solicitation telephone calls to individuals whose numbers
22 are listed on the National Do Not Call registry.

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25 ⁴ https://www.youtube.com/watch?v=WcSOB_OXmN0 (January 4, 2025 video discussing TCPA compliance in
26 which Defendant Yoon asks with respect to not calling individuals on the National Do Not Call Registry, "You
27 think I should make that change?") (viewed April 11, 2025).

⁵ <https://www.youtube.com/watch?v=G2f7dEyPu0> (video uploaded December 12, 2024 titled "My New 2025
Cold Calling Strategy (I'm quitting)") (viewed April 11, 2025).

1 23. The content of the calls that Plaintiff received demonstrates that the calls were
2 not made for an emergency purpose.

3 24. Exp Realty, LLC has been sued for calling behavior similar to the behavior
4 described in this complaint, specifically for sending business solicitation telephone calls in
5 violation of the TCPA to individuals listed on the National Do Not Call Registry, and for
6 sending autodialed calls to non-consenting individuals' mobile telephone numbers.

7 25. Exp Realty, LLC and Aaron Yoon are aware of the legal prohibitions against
8 placing telephone solicitation calls to numbers listed on the Do Not Call registry maintained by
9 the United States Federal Trade Commission, the telephone numbers listed on the registry, and
10 the laws and regulations prohibiting telemarketing sales calls to numbers listed on the registry
11 without the prior express written consent of the called party. Defendants therefore knowingly or
12 willfully caused calls to be made to the cellular phones of Plaintiff and other consumers listed
13 on the NDNC registry.

14 **B. Defendants' Unlawful Telephone Calls Injured Plaintiff.**

15 26. During the relevant period, Plaintiff has carried his cellular phone with him at
16 most times so that he can be available to family, friends, and his employer.

17 27. Defendants' calls invaded Plaintiff's privacy and intruded upon his right to
18 seclusion. The call frustrated and upset Plaintiff by interrupting his daily life and wasting his
19 time.

20 28. Defendants' calls intruded upon and occupied the capacity of Plaintiff's cellular
21 phone and depleted the battery of Plaintiff's cellular phone. The calls temporarily seized and
22 trespassed upon Plaintiff's use of his cellular phone, and caused him to divert attention away
23 from other activities to address the calls.

24 **V. CLASS ACTION ALLEGATIONS**

25 29. Plaintiff brings this lawsuit under Washington Civil Rules 23(a), (b)(2), and
26 (b)(3) as a representative of the following Classes:

1. **First Class.** All persons or entities within the United States who received, on or after April 14, 2021, more than one non-emergency telephone call during any twelve-month period to a residential and/or cellular telephone line listed on the National “Do Not Call” registry, from or on behalf of Exp Realty, LLC, which calls promoted goods or services, without the recipient’s prior express written consent.

2. **Second Class.** All persons or entities within the State of Washington who received, on or after July 23, 2023, more than one telephone solicitation from or on behalf of Exp Realty, LLC at any time when the receiving party's telephone number was listed on the National Do Not Call Registry.

3. **Third Class.** All persons or entities within the State of Washington who received, on or after July 23, 2023, more than one telephone solicitation from or on behalf of Exp Realty, LLC or Aaron Yoon at any time within one year following the receiving party's request to remove him or herself from Defendants' dialing lists.

Plaintiff reserves the right to amend the class definitions following an appropriate period of discovery.

30. Excluded from the Classes are Defendants, their employees, agents and assigns, and any members of the judiciary to whom this case is assigned, their respective court staff, and Plaintiff's counsel.

31. Because dialing equipment maintains records of each contact, members of the above-defined Classes can be identified through Defendants' or their agents' records.

Numerosity

32. At the time of filing, Plaintiff does not know the exact number of Class Members. But the number of Exp Realty, LLC customers indicates that Class Members likely number in the hundreds or thousands, and are geographically disbursed throughout the United States.

1 33. The alleged size and geographic dispersal of the Classes makes joinder of all
2 Class Members impracticable.

3 **Commonality and Predominance**

4 34. Common questions of law and fact exist with regard to each of the claims and
5 predominate over questions affecting only individual Class members. Questions common to the
6 First Class include:

- 7 a. Whether Defendants called consumers with a commercial purpose?
- 8 b. Whether Defendants initiated telephone solicitations to consumer
9 telephone subscribers on the National Do Not Call registry?
- 10 c. Whether Defendants failed to obtain consumers' prior express consent
11 prior to initiating telephone solicitations to them?
- 12 d. Whether Defendants failed to obtain the express written consent of
13 consumers listed on the National Do Not Call registry prior to initiating telephone solicitations
14 to them?
- 15 e. Whether Defendants' conduct was knowing and/or willful?

16 35. Questions common to the Second Class include:

- 17 a. Whether Defendants called consumers with a commercial purpose?
- 18 b. Whether Defendants initiated telephone solicitations to Washington
19 telephone subscribers on the National Do Not Call registry?
- 20 c. Whether Defendants failed to obtain the called parties' express consent
21 prior to initiating telephone solicitations to them?

- 22 d. Whether Defendants' conduct was knowing and/or willful?

23 36. Questions common to the Third Class include:

- 24 a. Whether Defendants called consumers with a commercial purpose?
- 25
- 26
- 27

1 b. Whether Defendants initiated telephone solicitations to Washington
2 telephone subscribers within one year of the called party's request to be placed on an internal
3 do not call list?

4 c. Whether Defendants failed to obtain the called parties' express consent
5 prior to initiating telephone solicitations to them?

6 d. Whether Defendants failed to undertake efforts to prevent calls to
7 Washington residents who had specifically opted out of receiving telephone solicitations from
8 Exp Realty, LLC and/or from Aaron Yoon?

9 e. Whether Defendants failed to obtain the express written consent of
10 parties listed on the National Do Not Call registry prior to initiating telephone solicitations to
11 them?

12 f. Whether Defendants' conduct was knowing and/or willful?

13 **Typicality**

14 37. Plaintiff's claims are typical of the claims of the Classes, in that Plaintiff, like all
15 Class Members, has been injured by Defendants' uniform misconduct—the placement of calls
16 to telephone numbers listed on the National Do Not Call registry or Defendants' internal do not
17 call lists for commercial (non-emergency) purposes, without the prior express written consent
18 of the called parties.

19 **Adequacy of Representation**

20 38. Plaintiff will fairly and adequately protect the interests of the Classes and is
21 committed to the vigorous prosecution of this action. Plaintiff has retained counsel experienced
22 in class action litigation and matters involving TCPA violations.

23 **Superiority**

24 39. A class action is superior to other available methods for the fair and efficient
25 adjudication of this controversy. Because the amount of each individual Class member's claim
26 is small relative to the complexity of the litigation, and because of Defendants' financial
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resources, Class members are unlikely to pursue legal redress individually for the violations detailed in this complaint. Class-wide damages are essential to induce Defendants to comply with state and federal law. Individualized litigation would significantly increase the delay and expense to all parties and to the Court and would create the potential for inconsistent and contradictory rulings. By contrast, a class action presents fewer management difficulties, allows claims to be heard which would otherwise go unheard because of the expense of bringing individual lawsuits, and provides the benefits of adjudication, economies of scale, and comprehensive supervision by a single court.

VI. FIRST CLAIM FOR RELIEF

Negligent Violation of the Telephone Consumer Protection Act (Do Not Call Registry)

47 U.S.C. § 227, *et seq.*

40. Plaintiff incorporates the above allegations by reference.

41. Exp Realty, LLC and Aaron Yoon made non-emergency calls to the cellular telephones of Plaintiff and First Class members despite their being listed on the National Do Not Call registry. The calls were made to promote goods or services for sale, without the called parties' prior express written consent.

42. The foregoing acts and omissions constitute negligent violations of the TCPA, including, but not limited to, violations of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c)(2).

43. Under 47 U.S.C. § 227(c)(5), and as a result of the alleged negligent violations of the TCPA, Plaintiff and Class Members are entitled to an award of not less than \$500 in statutory damages for each and every call placed in violation of the TCPA.

VII. SECOND CLAIM FOR RELIEF

Knowing or Willful Violation of the Telephone Consumer Protection Act (Do Not Call Registry)

47 U.S.C. § 227, *et seq.*

44. Plaintiff incorporates the above allegations by reference.

1 45. Exp Realty, LLC and Aaron Yoon made non-emergency calls to the cellular
2 telephones of Plaintiff and First Class members despite their being listed on the National Do
3 Not Call registry. The calls were made to promote goods or services for sale, without the called
4 parties' prior express written consent.

5 46. The foregoing acts and omissions constitute knowing and/or willful violations of
6 the TCPA, including, but not limited to, violations of 47 U.S.C. § 227(c) and 47 C.F.R. §
7 64.1200(c)(2).

8 47. Under 47 U.S.C. § 227(c)(5), and as a result of the alleged knowing and/or
9 willful violations of the TCPA, Plaintiff and Class Members are entitled to an award of up to
10 \$1,500.00 in statutory damages for each and every call knowingly or intentionally placed in
11 violation of the TCPA.

12 **VIII. THIRD CLAIM FOR RELIEF**

13 **Violation of Washington Telephone Solicitation Statute (National Do Not Call Registry)**

14 **RCW 80.36.390, *et seq.***

15 48. Plaintiff incorporates the above allegations by reference.

16 49. Exp Realty, LLC and Aaron Yoon made non-emergency calls to the cellular
17 telephones of Plaintiff and Second Class members despite their being listed on the National Do
18 Not Call registry. The calls were telephone solicitations made to promote goods or services for
19 sale, without the called parties' prior express written consent.

20 50. The foregoing acts and omissions violated the Washington Telephone
21 Solicitation statute, RCW 80.36.390(9).

22 51. Under RCW 80.36.390(13), and as a result of Defendants' alleged actions,
23 Plaintiff and Class Members are entitled to an award of injunctive relief, attorney's fees,
24 litigation costs, and not less than \$1,000 in statutory damages for each and every call placed in
25 violation of the Washington Telephone Solicitation statute.

1 **IX. FOURTH CLAIM FOR RELIEF**

2 **Violation of Washington Telephone Solicitation Statute (Internal Do Not Call List)**

3 **RCW 80.36.390, *et seq.***

4 52. Plaintiff incorporates the above allegations by reference.

5 53. Exp Realty, LLC and Aaron Yoon made non-emergency calls to the cellular
6 telephones of Plaintiff and Third Class members despite their requests to be placed on
7 Defendants' internal Do No Call list within one year preceding the challenged calls. The calls
8 were telephone solicitations made to promote goods or services for sale, without the called
9 parties' prior express written consent.

10 54. The foregoing acts and omissions violated the Washington Telephone
11 Solicitation statute, RCW 80.36.390(7).

12 55. Under RCW 80.36.390(13), and as a result of Defendants' alleged actions,
13 Plaintiff and Class Members are entitled to an award of injunctive relief, attorney's fees,
14 litigation costs, and not less than \$1,000 in statutory damages for each and every call placed in
15 violation of the Washington Telephone Solicitation statute.

16 **X. PRAYER FOR RELIEF**

17 WHEREFORE, Plaintiff, individually and on behalf of the Classes defined above,
18 respectfully requests that this Court:

19 A. Determine that the claims alleged herein may be maintained as a class action
20 under Civil Rule 23, and issue an order certifying the Classes defined above and appointing
21 Plaintiff as the Classes' representative;

22 B. Award \$500 in statutory damages for each and every call that Exp Realty, LLC
23 and Aaron Yoon negligently placed in violation of 47 U.S.C. § 227(b)(1) or (c)(5) of the
24 TCPA;

1 C. Award \$1,500 in statutory damages for each and every call that Exp Realty,
2 LLC and Aaron Yoon willfully or knowingly placed in violation of 47 U.S.C. § 227(b)(1) or
3 (c)(5) of the TCPA;

4 D. Award at least \$1,000 in statutory damages for each violation of RCW
5 80.36.390 committed by Exp Realty, LLC and Aaron Yoon;

6 E. Award Plaintiff and the Class members their reasonable attorney's fees and
7 costs as provided by RCW 80.36.390 to be paid by Exp Realty, LLC and Aaron Yoon;

8 F. Order that Defendants are jointly and severally liable for the violations allegedly
9 committed by Defendant Yoon in this Complaint under RCW 4.22.070(1)(a);

10 G. Grant appropriate injunctive and declaratory relief, including, without limitation,
11 an order requiring Defendants Exp Realty, LLC and Aaron Yoon to implement measures to
12 stop future violations of the TCPA and RCW 80.36.390; and

13 H. Grant such further relief as the Court deems proper.

14
15 RESPECTFULLY SUBMITTED AND DATED this 14th day of April, 2025.

16
17 SMITH & DIETRICH LAW OFFICES PLLC

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